

OVERVIEW OF AMENDMENTS & REMARKS

1. SPECIFICATION: No amendments.
2. CLAIM AMENDMENTS: The prior 90 (PCT Article 34) composition of matter claims are all canceled without disclaimer of the subject matter involved, and are replaced by claims 1-54 rewritten in the "method" format for examination.
3. SUPPLEMENTAL OATH OR DECLARATION signed 13 March 1997 is enclosed. A copy of the prior original Declaration signed 15 July 1993 that appears to have been lost by the Office is enclosed with copy of return postcard stamped "24 Rec'd PCT/PTO 26 JUL 1993," and accompanied "Response A" (3 sheets) to show timely filing of the original Declaration.
4. FEE STATUS: (small entity) A total of \$2650 is now being paid on the present application per this AMENDMENT A which now presents (7) independent claims, and (47) dependent claims for a total of (54) claims. In addition, \$330 was paid upon entry into the national stage on 18 November 1994, and \$625 to revive the application (37CFR 1.137(b) on 13 November 1995 (COM).
5. BASIC NATIONAL FEE (balance) \$20
6. EXCESS CLAIM FEES: \$2435
independent claims in excess of three : $4 \times \$40 = \160
claims in excess of twenty: $195 \times \$11 = \2145
multiple dependent claims: \$130
7. PETITION FOR (2 MONTH) EXTENSION OF TIME (Rules 136 and 17(a)-(d)). \$195

\$2650

CLAIM AMENDMENTS

Cancel (PCT Article 34) claims of record 1 - 90 without prejudice, and without disclaimer of the subject matter involved, and substitute with rewritten claims 1 - 54 of the present national application as follows:

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1. A method of treating fungal diseases in a human or an animal comprising:
administration to an area of disease a therapeutically suitable carrier containing a primary anti-infective agent selected from the group consisting of a pepper-like compound obtainable from a vanillyl bearing plant component, or the fruit of a *Piperaceous* pepper plant in a concentration sufficient to reduce, or eliminate symptoms.
2. A method of treating infectious disease selected from the group consisting of deep tissue, or systemic fungal diseases, nail infections, ear infections, internal staphylococcal infections, skin and respiratory tuberculosis, bacterial rashes and lesions, warts, and parasitic worm infections of the skin comprising:
administration to an area of infection a therapeutically suitable carrier containing a pepper-like compound as a primary anti-infective agent in a concentration sufficient to reduce, or eliminate symptoms.
3. A method of treating infectious vaginitis comprising:
administration to an area of disease a therapeutically suitable carrier containing a primary anti-infective agent selected from the group consisting of a pepper-like compound obtainable from a vanillyl bearing plant component, or a *Piperaceous* pepper plant of the genus *Peperoma*, or species *Piper retrofractum*, *Piper longum*, or *Piper nigrum* in a concentration sufficient to reduce, or eliminate symptoms.
4. A method of treating infectious disease in a human, or an animal comprising:

administration by injection to an area of disease a therapeutically suitable carrier containing a pepper-like compound as a primary anti-infective agent in a concentration sufficient to reduce, or eliminate symptoms.

5. The method of claims 1, further comprising superficial fungal disease.

A'cont 6. The method of claim 5, further comprising tinea pedis.

7. The method of claim 5, further comprising tinea corporis.

8. The method of claim 5, further comprising tinea cruris.

9. The method of claim 5, further comprising tinea capitis.

10. A method as in any of claims 1 - 4, further comprising candidiasis.

11. A method as in any of claims 1, 2, or 4, further comprising actinomycosis.

12. A method as in any of claims 1, 2, or 4 further comprising aspergillosis.

13. A method as in any of claims 1, 2, or 4 further comprising cryptococcosis, or torulosis.

14. A method as in any of claims 1, 2, or 4, wherein said disease is selected from the group consisting of blastomycosis, coccidioidomycosis, entomophthoromycosis histoplasmosis, nocardiosis, and paracoccidioidomycosis.

15. A method as in any of claims 2 - 4, wherein said infectious disease, or said bacterial disease is caused by staphylococcus.

16. The method of claim 4, wherein said infectious disease is caused by tuberculosis.

17. A method of treating diseases caused by organisms selected from the group consisting of parasitic worms, and viruses in a human, or an animal comprising:
administration to an area of disease a therapeutically suitable carrier containing a component of a plant selected from the group consisting of the genera *Zingiber*, *Elettaria*, *Aframomum*, *Euphorbia*, *Eugenia*, or species *Curcuma longa* as a primary anti-worming agent in a concentration sufficient to reduce, or eliminate symptoms.
(cont)

18. A method of treating infectious disease in a human, or an animal comprising:
administration to an area of infection an article of clothing impregnated with an anti-infective agent in a concentration sufficient to reduce, or eliminate symptoms.

19. The method of claim 18, wherein said article of clothing is selected from the group consisting of underwear, socks, shoes, and shoe liners.

20. A method of treating infectious disease in a human or an animal comprising:
administration to an area of disease a therapeutically suitable carrier containing a plant phytoalexin isolated from a plant as a primary anti-infective agent in a concentration sufficient to reduce, or eliminate symptoms of disease.

21. The method of claim 20, wherein the phytoalexin is capsidiol.

22. A method as in any one of claims 3/4, 18, or 20, wherein the agent is antifungal.

23. A method as in any one of claims 3, 4, 18, or 20, wherein the agent is antibacterial.

24. A method as in any one of claims 3, 4, 18, or 20, wherein said agent is against parasitic worms.

25. A method as in any one of claims 3, 4, 18, or 20, wherein said agent is antiviral.

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26. A method as in any one of claims 1, 2, 17, or 20, wherein said administration is topical.

27. A method as in any one of claims 1 - 4, 17, or 19, wherein said compound is alcohol soluble.

28. A method as in any one of claims 1 - 4, 17, or 19, wherein said compound is water soluble.

29. A method as in any one of claims 1 - 4, 17, 18, or 20 wherein said agent is a synthetic.

30. A method as in any one of claims 1 - 4, 18, or 20 wherein said plant is of the genus *Capsicum*.

31. The method of claim 30, wherein said plant is *Capsicum frutescens*.

32. The method of claim 30, wherein said plant is *Capsicum annum*.

33. A method as in any one of claims 1, 2, 4, 18, or 20, wherein said plant is *Zingiberaceous*.

34. A method as in any one of claims 1, 2, 4, 18, or 20, wherein said plant is selected from the group consisting of the genera *Zingiber*, *Euphorbia*, *Elettaria*, *Curcuma*, and *Aframomum*.

35. A method as in any one of claims 1, 2, 4, 18, or 20, wherein said plant is selected from the group consisting of the species *Zingiber officinale*, *Euphorbia resinifera*, *Euphorbia pulcherrima*, *Elettaria cardamomum*, *Curcuma longa*, *Aframomum melegueta*, and *Eugenia aromatic*a.

36. A method as in any one of claims 1, 2, 4, 17, 18, or 20, wherein said agent contains a vanillyl analog (Fig. 3) constituent.

Acn 37. A method as in any of claims 1 - 4, 17, 18, or 20, wherein said compound contains an analog of gingerol (Fig. 11).

38. A method as in any one of claims 1 - 4, or 18, wherein said agent is a capsaicinoid (Fig. 6) analog.

39. A method as in any one of claims 1 - 4, 17, 18, or 20, wherein said agent is selected from the group consisting of an analog of resiniferatoxin (Fig. 12) or tinyatoxin (Fig. 13)

40. A method as in any one of claims 1 - 4, 17, 18, or 20, wherein said agent is a hydrolyte.

41. A method as in any of claims 1 - 4, or 18, wherein said hydrolyte is selected from the group consisting of methoxyhydroxybenzylamine (Fig. 4), isodecylenic acid, chavicic acid, and piperic acid.

42. A method as in any one of claims 1 - 4, 17, or 18, wherein said agent is a carotenoid.

43. A method as in any one of claims 2, 4, 18, or 20, wherein said plant is *piperaceous*.

44. A method as in any one of claims 1, 2, 4, or 18, wherein said plant is of the genus *Piper*.

45. The method of claim 44, wherein said plant is of the species *Piper nigrum*.

cont'd 46. The method of claim 44, wherein said plant is of the genus *Piper retrofractum*, and *Piper longum*.

47. A method as in any one of claims 1 - 4, or 19, wherein said agent contains a piperidine (Fig. 8) constituent.

48. The method of claim 47, wherein said agent is a piperine (Fig. 8) analog.

49. A method as in any one of claims 1 - 4, or 19, wherein said compound is a plant amide.

50. A method as in any one of claims 1 - 4, 17, 18, or 20, wherein said concentration is equivalent to an infusion.

51. A method as in any one of claims 1 - 4, 17, 18, or 20, wherein said concentration is equivalent to a tea.

52. A method as in any one of claims 1 - 4, 17, 18, or 20, wherein in said concentration is equivalent to a 3:1 tincture.

53. A method as in any one of claims 1 - 4, 17, 18, or 20, wherein said concentration is equivalent to powder of ground spice.

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54. A method as in any one of claims 1 - 4, 17, 18, or 20, wherein
said concentration is equivalent to liquid drops, or a commercial
grade of oleoresin.

No further amendments at this time.

Please contact me if I can assist you further.

Respectfully,



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Certificate of Mailing

I certify that this correspondence will be deposited with the United States Postal Service as first class mail with proper postage affixed in an envelope addressed to: "Commissioner of Patents and Trademarks, Washington, DC 20231" on March 13, 1997.



Jeff J. Staggs, Applicant

3/13/97

Date